

32867W0031

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/089,315

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**INTERNATIONAL APPLICATION NO.
PCT/US01/13924INTERNATIONAL FILING DATE
01 May 2001 (01.05.2001)PRIORITY DATE CLAIMED
02 May 2000 (02.05.2000)

TITLE OF INVENTION

SYSTEM FOR PROTECTION OF SUBMERGED MARINE SURFACES

APPLICANT(S) FOR DO/EO/US

CALL, Edwin Young

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 – 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
 - a. Response to Notification of Missing Requirements;
 - b. Notification of Missing Requirements;
 - c. Letter Regarding Small Entity Status;
 - d. Certificate of Mailing Under 37 CFR § 1.8; and
 - e. Return Receipt Postcard.

21. ☐ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):**

Neither international preliminary examination fee (37 CFR 1.482)

nor international search fee (37 CFR 1.445(a)(2) paid to USPTO

and International Search Report not prepared by the EPO or JPO..... \$1040.00

International preliminary examination fee (37 CFR 1.482) not paid to

USPTO but International Search Report prepared by the EPO or JPO..... \$890.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO

but international search fee (37 CFR 1.445(a)(2) paid to USPTO..... \$740.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO

but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... \$710.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO

and all claims satisfied provisions of PCT Article 33(1)-(4)..... \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =**CALCULATIONS PTO USE ONLY**

\$0.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total Claims	- 20 =		x \$18.00	\$
Independent Claims	- 3 =		x \$84.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	\$

TOTAL OF ABOVE CALCULATIONS = \$130.00☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

\$65.00

SUBTOTAL = \$65.00Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30
months from the earliest claimed priority date (37 CFR 1.492(f))

\$

TOTAL NATIONAL FEE = \$65.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.

+ \$40.00

TOTAL FEES ENCLOSED = \$105.00

09/03/2002 MKAYPAGH 00000023 10089315

01 FC:254 65.00 OP

Amount to be
refunded:

\$

charged:

\$

a. ☒ A check in the amount of \$105.00 to cover the above fees is enclosed.b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4300. A duplicate copy of this sheet is enclosed.d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

SMITH, GAMBRELL & RUSSELL, LLP
1230 Peachtree Street, N.E.
Suite 3100, Promenade II
Atlanta, GA 30309-3592
Telephone: (404) 815-3593
Facsimile: (404) 685-6953

SIGNATURE

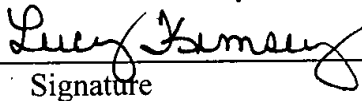
Robert G. Weilacher
NAME20,531
REGISTRATION NUMBER

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231
Attn: DO/EO/US

on **August 23, 2002**



Signature

Lucy Kimsey

Applicant: CALL, Edwin Young
Serial No.: 10/089,315
Filing Date: 05/01/2001
Title: System For Protection Of Submerged Marine Surfaces
Atty. Dkt. No.: 32867W0031

The correspondence includes the following documents:

1. \$105.00 Check;
2. Response to Notification of Missing Requirements (1 page);
3. Copy of Notification of Missing Requirements (2 pages);
4. Letter Regarding Small Entity Status (1 page);
5. Declaration and Power of Attorney (1 page);
6. Assignment Recordation Cover Sheet and Assignment (3 pages);
7. Information Disclosure Statement, Form PTO/SB/08A and cited reference (7 pages);
8. Certificate of Mailing Under 37 CFR § 1.8 (1 page); and
9. Return Receipt Postcard.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	CALL, Edwin Young)	
)	
Serial No.:	10/089,315)	Group Art Unit: TBA
)	
Filing Date:	March 29, 2002)	Examiner: TBA
)	
For:	System For Protection Of Submerged)	
	Marine Surfaces)	

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USC 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Commissioner for Patents
Washington, D.C. 20231

Sir:

Responsive to the Notification of Missing Requirements Under 35 U.S.C. 371, mailed July 3, 2002, Applicants file herewith the following documents relating to the above-identified application:

- (1) A copy of the Notification of Missing Requirements;
- (2) Statement of Status as Small Entity;
- (3) Executed Declaration and Power of Attorney;
- (4) Assignment Recordation Cover Sheet and executed Assignment;
- (5) Information Disclosure Statement, Form PTO/SB/08A and cited reference; and
- (6) A check in the amount of \$105.00 in payment of the surcharge fee (\$65.00) for a small entity and assignment recordation (\$40.00).

Please charge any additional fees which may be necessary to Deposit Account No. 02-4300 and credit any overpayment to said Deposit Account. This includes any additional fees under 37 C.F.R. § 1.16 and 1.17.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP



By: Robert G. Weilacher, Reg. No. 20,531

Dated: August 21, 2002
Suite 3100, Promenade II
1230 Peachtree Street, N.E.
Atlanta, Georgia 30309-3592
Ph: (404) 815-3593
Fax: (404) 685-6893

Response Due 9/3/02



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/089,315	FIRST NAMED APPLICANT Edwin Call	ATTY. DOCKET NO. 32867W0031
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INTERNATIONAL APPLICATION NO. PCT/US01/13924

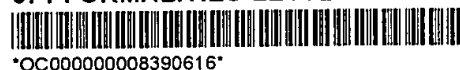
LA. FILING DATE 05/01/2001	PRIORITY DATE 05/02/2000
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00441

SMITH, GAMBRELL & RUSSELL, LLP
1850 M STREET, N.W., SUITE 800
WASHINGTON, DC 20036

CONFIRMATION NO. 7290

371 FORMALITIES LETTER



OC000000008390616

Date Mailed: 07/03/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Request for Immediate Examination

DOCKET _____

DOCKETED BY: _____

DATE 7/10/02GIVEN TO RLW / LHD

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN R MCLEAN

Telephone: (703) 308-9117

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/089,315	PCT/US01/13924	32867W0031

FORM PCT/DO/EO/905 (371 Formalities Notice)